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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/228,894	01/11/1999	YOSHIHIRO ONO (P/3281-5	7984
75	90 11/06/2002			
OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403			EXAMINER	
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			ART UNIT	PAPER NUMBER
		••	2644	• 7
· ·			DATE MAILED: 11/06/200	2

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
	09/228,894	ONO, YOSHIHIRO					
Office Action Summary	Examiner	Art Unit					
	Con P. Tran	2644					
The MAILING DATE of this communication a Period for Reply	ippears on the cover sheet w	ith the correspondence address					
A SHORTENED STATUTORY PERIOD FOR REF THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a rr - If NO period for reply is specified above, the maximum statutory perion - Failure to reply within the set or extended period for reply will, by stat - Any reply received by the Office later than three months after the main earned patent term adjustment. See 37 CFR 1.704(b). Status	N. 1.136(a). In no event, however, may a eply within the statutory minimum of thin will apply and will expire SIX (6) MO ute, cause the application to become A	reply be timely filed rty (30) days will be considered timely. NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).					
1) Responsive to communication(s) filed on 2	1 August 2002 .						
2a) ☐ This action is FINAL . 2b) ☐ 2	This action is non-final.						
3) Since this application is in condition for allo closed in accordance with the practice under the practice of Chairman at Ch							
Disposition of Claims 4) ✓ Claim(s) 1-10 is/are pending in the application	ion						
,,	 4) Claim(s) 1-10 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 						
5) Claim(s) is/are allowed.	rawn from consideration.						
6)⊠ Claim(s) <u>1-10</u> is/are rejected.							
7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and	I/or election requirement.						
Application Papers							
9)☐ The specification is objected to by the Exami	ner.						
10) The drawing(s) filed on is/are: a) acc	cepted or b) objected to by	the Examiner.					
Applicant may not request that any objection to		• •					
11) The proposed drawing correction filed on		disapproved by the Examiner.					
If approved, corrected drawings are required in 12) The oath or declaration is objected to by the I							
Priority under 35 U.S.C. §§ 119 and 120	Examiner.						
<u> </u>	ian neiseitu undar 25 II C.C.	S 440(a) (d) az (f)					
13) ☐ Acknowledgment is made of a claim for foreia) ☐ All b) ☐ Some * c) ☐ None of:	ight priority under 35 O.S.C.	3 119(a)-(d) of (f).					
1.☐ Certified copies of the priority docume	ints have been received						
2. Certified copies of the priority docume		Application No.					
3. Copies of the certified copies of the prapplication from the International E	riority documents have beer Bureau (PCT Rule 17.2(a)).	received in this National Stage					
* See the attached detailed Office action for a li	•						
14) Acknowledgment is made of a claim for dome							
a) ☐ The translation of the foreign language p 15)☐ Acknowledgment is made of a claim for dome							
Attachment(s)	_						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of	Summary (PTO-413) Paper No(s) Informal Patent Application (PTO-152)					

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. Claims 1 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Sendyk et al. U.S. Patent 5,353,348.

Regarding **claim 1**, Sendyk et al. teaches a voice switching system (see Fig. 1, and respective portions of the specification), comprising:

a transmitting side attenuation section (26) for attenuating a microphone input voice signal (from microphone 12; see col. 4, lines 13-15) having a first level (after passing A/D 16) to produce a transmitted voice signal having a second level (to D/A 28; see col. 4, lines 34-44);

a receiving side attenuation section (40) for attenuating a received voice signal having a third level (after passing A/D 36) to produce a speaker output voice signal having a fourth level (to D/A 18; see col. 4, line 56 –col. 5, line 3);

a transmitting side control section (including comparator 20 and variable gain control 30) for comparing the first level of the microphone (12) input voice signal

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with the fourth level of the speaker (14) output voice signal to obtain a first difference therebetween (col. 4, lines 19-24), the transmitting side control section controlling, dependent on the first difference, an amount of attenuation of the microphone input voice signal in the transmitting side attenuation section (see col. 5, lines 40-54); and

a receiving side control section (including comparator 32 and variable gain control 30) for comparing the second level of the transmitted voice signal (before reaching D/A converter 28) with the third level of the received voice signal (after passing A/D 36) to obtain a second difference therebetween (see col. 4, lines 45-55), the receiving side control section controlling, dependent on the second difference, an amount of attenuation of the received voice signal in the receiving side attenuation means (see col. 5, lines 40-54).

Regarding **claim 8**, Sendyk et al. teaches a voice switching system (see Fig. 1, and respective portions of the specification), comprising:

a first receiver (16), which receives a first voice signal (from microphone; see col. 4, lines 13-15);

a first attenuation circuit (26), which receives the first voice, signal from the first receiver and produces a first attenuated signal (to D/A converter 28; see col. 4, lines 34-44);

a first control circuit (30) coupled to the first attenuation circuit; a second receiver which receives a second voice signal (26; see col. 4, lines 34-44);

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a second attenuation circuit (40) which receives the second voice signal from the second receiver and produces a second attenuated signal (to D/A converter 18; see col. 4, line 56 –col. 5, line 3); and

a second control circuit (30; in combination with first control circuit)

coupled to the second attenuation circuit (40; see col. 4, lines 34-44); wherein the first control circuit (30) receives the first voice signal (from A/D converter 16 through comparator 30) and the second attenuated signal (also through comparator 30), the first control circuit (30) compares the first voice signal (from A/D converter 16) and the second attenuated signal (on line 19) and produces a first attenuation control signal (on line from 30 to 26) in response thereto, the first attenuation control signal controls an attenuation of the first attenuation circuit (26); and

the second control circuit (30; in combination with first control circuit) receives the second voice signal (from A/D converter 36 through comparator 32) and the first attenuated signal (also through comparator 32), the second control circuit (30) compares the second voice signal (from A/D converter 36) and the first attenuated signal (from 26 through comparator 32) and produces a second attenuation control signal (on line from 30 to 40) in response thereto, the second attenuation control signal controls an attenuation of the second attenuation circuit (40).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sendyk et al. U.S. Patent 5,353,348 in view of Lilja et al. U.S. Patent 5,787,165, and further in view of Furukawa et al. U.S. Patent 5,463,618.

Regarding **claim 2**, Sendyk et al. teaches voice switching system as claimed in claim 1. However, Sendyk et al. does not explicitly disclose the receiving side control section further comprising:

a transmitting side signal delay buffer for providing the transmitted voice signal with a delay time, the delay time corresponding to a time for which the transmitted voice signal returns as the received voice signal through a communication line;

a transmitting side signal power estimation section for estimating a signal power of the transmitted voice signal outputted from the transmitting side signal delay buffer;

a receiving side signal power estimation section for estimating a signal power of the received voice signal.

In the same field of endeavor, Lilja et al. teaches (see Fig. 1, Table 1, and respective portions of the specification):

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a transmitting side signal delay buffer (see col. 10, line 60 – col. 11 line 19) for providing the transmitted voice signal with a delay time, the delay time corresponding to a time for which the transmitted voice signal returns as the received voice signal through a communication line (see col. 13, lines 48-64);

a transmitting side signal power estimation section for estimating a signal power of the transmitted voice signal outputted (see col. 6, lines 43-52) from the transmitting side signal delay buffer (see col. 7, lines 1-23);

a receiving side signal power estimation section for estimating a signal power of the received voice signal (see col. 6, lines 53-62); in order to determine which path has control and for dynamically controlling the path gain of both the send path and the receiver path (see col. 3, lines 57-59);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Sendyk et al. reference a voice switching system as taught by Lilja et al. since such combination would have determined which path has control and for dynamically controlling the path gain of both the send path and the receiver path as suggested by Lilja et al. in column 3, lines 57-59.

It should be noted that Sendyk and Lilja in combination fails to clearly teach:

a comparator for comparing the estimated signal power of the transmitted voice signal estimated by the transmitting side signal power estimation section with the estimated signal power of the received voice signal estimated by the receiving side signal power estimation section to obtain a ratio therebetween; and

a first attenuation amount calculation section for calculating an amount of attenuation in the receiving side attenuation section based on the ratio outputted from the first comparator.

In the same field of endeavor, Furukawa et al. teaches (see Fig. 1, 2, and respective portions of the specification):

a first comparator (213) for comparing a primary estimated signal power of the transmitted voice signal estimated by the transmitting side signal power estimation section with a secondary estimated signal power of the received voice signal estimated by the receiving side signal power estimation section to obtain a ratio therebetween (see col. 7, lines 5-39); and

a first attenuation amount calculation section for calculating an amount of attenuation in the receiving side attenuation section based on the ratio outputted from the first comparator (see col. 14, lines 7-13); in order to be able to improve the tracking performance to echo path changes (see col. 4, lines 7-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Sendyk and Lilja in combination a voice switching system, as taught by Furukawa et al., since such combination would have been able to improve the tracking performance to echo path changes as suggested by Furukawa et al. in column 4, lines 7-13

Regarding **claim 4**, Sendyk et al. teaches a voice switching system as claimed in claim 1. However, Sendyk et al. does not explicitly disclose a transmitting side controller further comprising:

a microphone input power estimation section for estimating a signal power of the microphone input voice signal;

a speaker output signal delay buffer for providing the speaker output voice signal with a delay time, the delay time corresponding to a time for which a voice outputted from the speaker becomes the microphone input voice signal by a sound coupling with the microphone.

In the same field of endeavor, Lilja et al. further teaches (see Fig. 1, and respective portions of the specification):

a microphone (175) input power estimation section for estimating a signal power of the microphone input voice signal (see col. 5, lines 44-49);

a speaker output signal delay buffer for providing the speaker output voice signal with a delay time, the delay time corresponding to a time for which a voice outputted from the speaker becomes the microphone input voice signal by a sound coupling with the microphone (see col. 10, lines 51-65);

It should be noted that Sendyk and Lilja in combination fails to clearly teach:

a first speaker output power estimation section for estimating a signal power of the speaker output voice signal outputted from the speaker output signal delay buffer;

a comparator for comparing an estimated signal power of the microphone input voice signal estimated by the microphone input power estimation section with an estimated signal power of the speaker output voice signal estimated by the first speaker output power estimation section to obtain a ratio therebetween; and

an attenuation amount calculation section for calculating an amount of attenuation in the transmitting side attenuation section based on the ratio outputted from the second comparator.

In the same field of endeavor, Furukawa et al. further teaches (see Fig. 1, 2, and respective portions of the specification):

a first speaker output power estimation section (6) for estimating a signal power of the speaker output voice signal outputted from the speaker output signal delay buffer (see col. 5, lines 53-56 and col. 7, lines 40-45);

a comparator for comparing an estimated signal power of the microphone input voice signal estimated by the microphone input power estimation section with an estimated signal power of the speaker output voice signal estimated by the first speaker output power estimation section to obtain a ratio therebetween (see col. 7, lines 5-39); and

an attenuation amount calculation section for calculating an amount of attenuation in the transmitting side attenuation section based on the ratio outputted from the second comparator (see col. 14, lines 7-13 and col. 7, lines 40-45).

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5. Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sendyk et al. U.S. Patent 5,353,348 in view of Lilja et al. U.S. Patent 5,787,165, further in view of Furukawa et al. U.S. Patent 5,463,618, and further in view of Fujii et al. U.S. Patent 5,940,499.

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Regarding **claim 3**, Sendyk in view of Lilja, and further in view of Furukawa teaches voice switching system as claimed in claim 2. However, Sendyk in view of Lilja, and further in view of Furukawa does not explicitly disclose a voice switching system wherein:

the receiving voice signal inputted to the receiving side signal power estimation section is silent at the initial time when the voice signal is inputted to the transmitting side signal delay buffer.

In the same field of endeavor, Fujii et al. teaches (see Fig. 2, and respective portions of the specification):

the receiving voice signal inputted to the receiving side signal power estimation section is silent at the initial time when the receiving voice signal inputted to the receiving side signal power estimation section is silent at the initial time when the transmitted voice signal is inputted to the transmitting side signal delay buffer (see col. 3, lines 52-63) in order to provide a conversation as smooth as one taking place when a handset is used (see col. 1, lines 44-46).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Sendyk, Lilja and Furukawa in

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combination a voice switching system, as taught by Fujii, since such combination would have provided a conversation as smooth as one taking place when a handset is used as suggested by Fujii et al. in column 1, lines 44-46.

Regarding **claim 5**, Sendyk in view of Lilja and further in view of Furukawa in combination teaches voice switching system as claimed in claim 4.

However, Sendyk, Lilja and Furukawa in combination does not explicitly disclose a voice switching system wherein the microphone input voice signal inputted to the microphone input power estimation section is silent at the initial time when the speaker output voice signal is inputted to the speaker output signal delay buffer.

In the same field of endeavor, Fujii et al. further teaches (see Fig. 2, and respective portions of the specification):

a microphone input voice signal inputted to the microphone input power estimation section is silent at the initial time when the speaker output voice signal is inputted to the speaker output signal delay buffer (see col. 3, lines 52-63).

6. Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sendyk et al. U.S. Patent 5,353,348 in view of Furukawa et al. U.S. Patent 5,463,618.

Regarding **claim 6**, Sendyk further teaches the transmitting side control section further comprising (Fig. 1, and respective portions of the specification):

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a residual echo power estimation section for estimating a signal power of a residual echo signal obtained by the microphone input voice signal passing through an acoustic echo canceller (see col. 4, lines 25-14);

a second speaker output power estimation section for estimating a signal power of the speaker output voice signal passing through the acoustic echo canceller (see col. 4, line 56 – col. 5, lines 3);

However, Sendyk et al. does not explicitly disclose:

a third comparator for comparing an estimated signal power of the residual echo signal estimated by the residual echo power estimation section with an estimated signal power of the speaker output voice signal estimated by the second speaker output power estimation section to obtain a ratio therebetween; and

a third attenuation amount calculation—section for calculating an amount of attenuation in the transmitting side attenuation section based on the ratio outputted from the third comparator.

In the same field of endeavor, Furukawa et al. further teaches (see Fig. 1, 2, and respective portions of the specification):

a third comparator for comparing an estimated signal power of the residual echo signal estimated by the residual echo power estimation section with an estimated signal power of the speaker output voice signal estimated by the second speaker output power estimation section to obtain a ratio therebetween (see col. 5, line 66 – col. 6, line 12); and

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a third attenuation amount calculation—section for calculating an amount of attenuation in the transmitting side attenuation section based on the ratio outputted from the third comparator (see col. 5, line 66 – col. 6, line 12).

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Regarding **claim 7**, Furukawa et al. further teaches (see Fig. 16 and respective portions of the specification) a voice switching system as claimed in claim 6, wherein the acoustic echo canceller sequentially renews an adaptive filter coefficient stored in an adaptive filter coefficient buffer by the use of the residual echo signal and a value of an adaptive filter tap input buffer (see col. 17, lines 32-50), the residual echo signal being outputted from a subtractor to which the microphone input voice signal is inputted, and wherein a sum of products between the adaptive filter coefficient of the adaptive filter coefficient buffer and the value of the adaptive filter tap input buffer and the value of the adaptive filter tap input buffer is calculated in a sum of products operator (see col. 16, lines 26-36), a result of the calculation being subtracted by the subtractor from the microphone input voice signal, thereby the residual echo signal being outputted (see col. 17, line 51 – col. 18, line 7).

7. **Claims 9, 10** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sendyk et al. U.S. Patent 5,353,348 in view of Lilja et al. U.S. Patent 5,787,165, and further in view of Furukawa et al. U.S. Patent 5,463,618.

Regarding **claim 9**, Sendyk et al. teaches the voice switching system as recited in claim 8. However, Sendyk et al. does not explicitly disclose the voice switching system further comprising:

a buffer which receives the second attenuated signal, and delays the second attenuated signal with a delay time substantially equal to a time for the second attenuated signal to travel from the second attenuation circuit to the first attenuation circuit through a communication line, thereby producing a delayed second attenuated signal;

a first power estimation section coupled to the buffer, the first power estimation section estimates a power of the delayed second attenuated signal and produces an output in response thereto;

a second power estimation section which receives the first voice signal, estimates a power of the first voice signal and produces an output in response thereto;

In the same field of endeavor, Lilja et al. teaches (see Fig. 1, Table 1, and respective portions of the specification):

a buffer which receives the second attenuated signal, and delays the second attenuated signal with a delay time substantially equal to a time for the second attenuated signal to travel from the second attenuation circuit to the first attenuation circuit through a communication line (see col. 10, line 60 – col. 11 line 19), thereby producing a delayed second attenuated signal (see col. 13, lines 48-64);

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(see col. 6, lines 53-62);

a first power estimation section coupled to the buffer, the first power estimation section estimates a power of the delayed second attenuated signal (see col. 7, lines 1-23) and produces an output in response thereto (see col. 6, lines 43-52); a second power estimation section which receives the first voice signal, estimates a power of the first voice signal and produces an output in response thereto

in order to determine which path has control and for dynamically controlling the path gain of both the send path and the receiver path (see col. 3, lines 57-59);

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Sendyk et al. reference a voice switching system as taught by Lilja et al. since such combination would have determined which path has control and for dynamically controlling the path gain of both the send path and the receiver path as suggested by Lilja et al. in column 3, lines 57-59.

It should be noted that Sendyk and Lilja in combination fails to clearly teach:

a comparator which receives and compares the outputs of the first and second power estimation sections and produces an output in response thereto;

and an attenuation amount calculation section which receives the output of the comparator and produces the first attenuation control signal in response thereto.

In the same field of endeavor, Furukawa et al. teaches (see Fig. 1, 2, and respective portions of the specification):

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a comparator (213) which receives and compares the outputs of the first and second power estimation sections and produces an output in response thereto (see col. 7, lines 5-39); and

an attenuation amount calculation section which receives the output of the comparator and produces the first attenuation control signal in response thereto (see col. 14, lines 7-13);

in order to be able to improve the tracking performance to echo path changes (see col. 4, lines 7-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Sendyk and Lilja in combination a voice switching system, as taught by Furukawa et al., since such combination would have been able to improve the tracking performance to echo path changes as suggested by Furukawa et al. in column 4, lines 7-13.

Regarding **claim 10**, Sendyk et al. teaches the voice switching system as recited in claim 8. However, Sendyk et al. does not explicitly disclose the voice switching system further comprising:

a first power estimation section which receives the second voice signal, estimates a power of the second voice signal and produces an output in response thereto;

a buffer which receives the first attenuated signal, and delays the first attenuated signal with a delay time substantially equal to a time for the first attenuated

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signal to travel from a speaker connected to the first attenuation circuit to the second receiver (see col. 10, line 60 – col. 11 line 19), thereby producing a delayed first attenuated signal (see col. 13, lines 48-64);

a second power estimation section coupled to the buffer, the second power estimation section estimates a power of the delayed first attenuated signal and produces an output in response thereto.

In the same field of endeavor, Lilja et al. teaches (see Fig. 1, Table 1, and respective portions of the specification):

a first power estimation section which receives the second voice signal, estimates a power of the second voice signal and produces an output in response thereto (see col. 6, lines 53-62);

a buffer which receives the first attenuated signal, and delays the first attenuated signal with a delay time substantially equal to a time for the first attenuated signal to travel from a speaker connected to the first attenuation circuit to the second receiver, thereby producing a delayed first attenuated signal;

a second power estimation section coupled to the buffer, the second power estimation section estimates a power of the delayed first attenuated signal (see col. 7, lines 1-23) and produces an output in response thereto (see col. 6, lines 43-52).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Sendyk et al. reference a voice switching system as taught by Lilja et al. since such combination would have

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determined which path has control and for dynamically controlling the path gain of both the send path and the receiver path as suggested by Lilja et al. in column 3, lines 57-59.

It should be noted that Sendyk and Lilja in combination fails to clearly teach:

a comparator which receives and compares the outputs of the first and second power estimation sections and produces an output in response thereto;

and an attenuation amount calculation section which receives the output of the comparator and produces the first attenuation control signal in response thereto.

In the same field of endeavor, Furukawa et al. teaches (see Fig. 1, 2, and respective portions of the specification):

a comparator (213) which receives and compares the outputs of the first and second power estimation sections and produces an output in response thereto (see col. 7, lines 5-39); and

an attenuation amount calculation section which receives the output of the comparator and produces the first attenuation control signal in response thereto (see col. 14, lines 7-13);

in order to be able to improve the tracking performance to echo path changes (see col. 4, lines 7-13).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included within the Sendyk and Lilja in combination a voice switching system, as taught by Furukawa et al., since such combination would have been able to improve the tracking performance to echo path changes as suggested by Furukawa et al. in column 4, lines 7-13.

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Response to Arguments

8. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new grounds of rejection.

Conclusion

9. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Con P. Tran, whose telephone number is (703) 305-2341. The examiner can normally be reached on M - F (8:30 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Forester W. Isen can be reached on (703) 305-4386. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office at telephone number (703) 306-0377.

cpt CPT November 4, 2002

FORESTER W. ISEN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600